**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services – Srikalahasti Municipality – Certain irregularities committed in leasing out the areas of Bus Stand and Sand Quarry in Srikalahasti Municipality – Enquiry conducted – Penalty imposed against Sri C.Venkata Chalapathi, Jr.Assistant (Retd), Srikalahasti Municipality – Modification of Penalty - Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT(VIG.I)DEPARTMENT

**G.O.RT.No. 731** **Dated: 06.11.2015**

**Read the following:-**

1. G.O. Rt No. 325, MA&UD (E2) Dept., Dt. 27.02.2008.
2. From the Hon'ble APAT, Hyderabad, Order dt: 03.12.2013 in O.A.No.8687/2012.
3. From the Hon'ble High Court of A.P., orders Dt: 13.08.2014 in W.P. No. 12121/2014.

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**ORDER:**

In the G.O. 1st read above, a penalty of stoppage of two annual grade increments with cumulative effect was imposed against Sri C.Venkata Chalapathi, Jr.Assistant (Retd), Srikalahasti Municipality on certain irregularities in leasing out the areas of sand quarry and bus stand and exhibited negligence in collecting dues at Srikalahasthi Municipality.

2. Aggrieved to above orders, Sri C.Venkata Chalapathi, Jr.Assistant (Retd), Srikalahasti Municipality has filed O.A.No. 8687/2012 in the Hon'ble APAT challenging the punishment orders. The Hon'ble APAT in their orders second read above, while setting aside the orders first read above, have issued the following orders:

> "……As the Respondents did not passes any specific orders rejecting the request of the applicant for change of enquiry officer, which is against the principles of natural justice and goes against the orders of the Tribunal in O.A.No.4379/2004, the O.A is allowed and G.O.Rt.No.325, MA&UD (E2) Dept., dated:27.02.2008 issued by the 1st Respondent and consequential proceedings of the 4th Respondent issued in Roc.No.3337/2012/C1, dated:17.09.2012 are set aside with a direction to the respondents to release all pensionary benefits including PF, FBF, GIS and Encashment of earned Leave within a period of eight weeks from the date of receipt of copy of order. VMAs are dismissed. C.A., stands closed. No costs."

3. Government have filed W.P.No.12121 of 2014 in Hon'ble High Court of A.P. against the orders dt:03.12.2013 in O.A No. 8687/2012. The Hon'ble High Court of A.P in its order 3rd read above, have disposed the case as follows:

> "……..Heard both sides.
>
> 1) Both the Counsel stated that the issue involved in this Writ Petition is squarely covered by the order dt. 10.4.2014 in W.P. No. 38000/2013 passed by this court, where under and whereby this Court modified the punishment of stoppage of two annual grade increments with cumulative effect, and that this Writ Petition can be disposed of, in terms of the said order.

(PTO)

2) Following the same, the Writ Petition is disposed of, in terms of the order, dt. 10.04.2014 in W.P. No. 38000/2013 modifying the punishment of stoppage of two annual grade increments with cumulative effect imposed on the first respondent in G.O. Rt. No. 325, MA&UD(E2) Dept., DT.27.02.2008, to two annual grade increments without cumulative effect. No costs Miscellaneous petitions pending if any, in the Writ Petition shall stand closed."

4. Government after careful examination of the matter have decided to modify the penalty awarded vide G.O. 1st read above i.e. "stoppage of two annual grade increments with cumulative effect" to that of "stoppage of two annual grade increments without cumulative effect", incompliance with the order of the Hon'ble High Court of A.P. vide their order 3rd read above.

5. Accordingly, Government hereby reduce the penalty awarded vide G.O. 1st read above i.e. **stoppage of two annual grade increments with cumulative effect** to that of "**stoppage of two annual grade increments without cumulative effect"** imposed against Sri C.Venkata Chalapathi, Jr.Assistant (Retd), Srikalahasti Municipality.

6. The Director of Municipal Administration A.P., Hyderabad / Municipal Commissioner, Srikalahasti Municipality, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri C.Venkata Chalapathi, Jr.Assistant (Retd),
Srikalahasti Municipality (through the DMA, AP, Hyderabad)
The Director of Municipal Administration, A.P., Hyderabad.
The Commissioner,Srikalahasti Municipality, Tirupati.
**Copy to:**
The Secretary, A.P. Vigilance Commission.
The Government Pleader for MA&UD(Service), APHC, Hyderabad.

//FORWARDED BY ORDER//

SECTION OFFICER